

REMARKS

Entry of this amendment and accompanying remarks respectfully is requested. Each of claims 11, 22 and 25 have been amended to correct inadvertent errors regarding the dependency of the claims. Claim 11 should properly depend from claim 1 rather than claim 10 as it provides an alternative contact step to the immersion contact step of claim 10. Claims 22 and 25 are amended to depend from independent claim 14 to maintain consistent dependency with independent claim 1 and its dependent claims. Claim 12 is canceled as the features of this claim are already present in claim 1, and thus claim 12 does not further limit claim 1. This claim inadvertently was not canceled when claim 1 was amended to contain this feature. Claim 22 is further amended to correct a typographical error.

Applicants additionally would like to note that there was an inadvertent omission made on page 10, line 8 of the Proposed Amendment and Request for Reconsideration under 37 C.F.R. §1.116 filed on June 23, 1999. The word "not" should have been inserted after "does" to further support the arguments that Lattin does not render obvious the claimed method.

The Reasons for Allowance state that "[T]he claimed invention is allowed on the basis of the non-obvious contact time and unpredictability of efficacy of QAC in preventing growth of microorganisms other than salmonella on food surfaces and on specific food surfaces . . .". Applicants note that only claims 1-4, 6-11, 13 and 31 are limited to preventing growth of microorganisms other than salmonella. It is Applicants' position that this statement only applies to claims 1-4, 6-11, 13 and 31. It is believed that the Reasons for Allowance do not correctly characterize claims 14-17, 19-26, 32 and 34. Claims 14-17 and 19-26 are directed to preventing the growth of microorganisms on seafood, vegetables or fruit products and claims 32 and 34 are directly to preventing the growth of a pathogenic toxin-producing *Escherichia* on meat products.


Should fees be necessary in connection with the filing of this paper, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees.

Respectfully submitted,

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Date

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